

Thomas & Solomon LLP
THE EMPLOYMENT ATTORNEYS

November 22, 2021

VIA CM/ECF

Honorable John F. Keenan
United States District Court
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: LaPrairie v. Presidio, Inc., et al.
Civil Action No: 1:21-cv-08795-JFK

Dear Judge Keenan:

We represent the plaintiff in the above-referenced action. We write on behalf of both parties in advance of the in-person status conference scheduled for November 30, 2021 at 11:00 a.m.

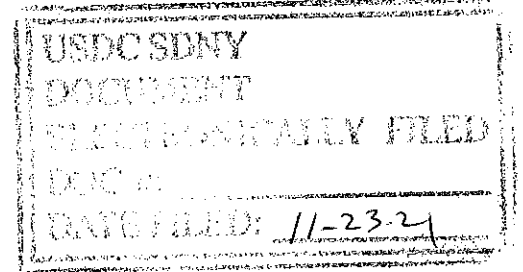
Pursuant to the Order entered by Judge Wolford of the Western District of New York, on October 28, 2021, defendants' deadline to refile their motion to dismiss is November 29, 2021. *See* Dkt. 18. In light of the upcoming holidays and the anticipated time necessary to fully brief this motion, the parties conferred and respectfully request that the Court enter the following briefing schedule regarding defendant's motion to dismiss:

- November 29, 2021: Defendants' deadline to file a motion to dismiss
- January 7, 2022: Plaintiff's deadline to respond to defendants' motion to dismiss
- January 28, 2022—Defendants' deadline to file reply brief

Because defendants' motion to dismiss has not yet been filed, the requested briefing schedule does not modify or extend any existing deadlines.

The parties believe that in light of the anticipated motion to dismiss and the proposed briefing schedule set forth above, that this obviates the need for the November 30th status conference. However, to the extent that the Court would like to still proceed with the status conference, the parties respectfully request that they be permitted to attend telephonically or via videoconference, especially since counsel for plaintiff is located approximately six hours by car from New York City.

MEMO ENDORSE




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If this request meets your approval, a "So-Ordered" line is included herein for your convenience.

Please do not hesitate to contact our offices if you have any questions regarding this request. Thank you for your courtesies in this matter.

Respectfully submitted,



Jessica L. Lukasiewicz

cc: Brian E. Middlebrook (via CM/ECF)

John T. Mills (via CM/ECF)

The Conference for November 30, 2021 is cancelled. If either party wishes oral argument of the motion, contact my chambers by January 21, 2022 to set a date for the argument.



Honorable John F. Keenan
United States District Judge

Dated: November 23, 2021